

# **EXHIBIT**

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### **NOTICE OF DISPUTE TO WELLS FARGO HOME MORTGAGE DATED 3/3/2013**

3/3/2013

Timothy Dietz  
2503 34<sup>th</sup> Ave  
Longview Wa 98632

Wells Fargo Home Mortgage  
POB 10368  
Des Moines IA 50306

ACCT # 0210180881

**\*NOTICE OF DISPUTE\***

This is to notify you that you are hereby put on NOTICE under the authority of the Real Estate Settlement Procedures Act (RESPA) 12 U.S.C. § 2605(e), Regulation X at 24 C.F.R. § 3500, the Truth-In-Lending-Act (TILA) § 1604(e), 15 U.S.C. §§ 1601 et seq. (1968) and 1692 et seq., and the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. §1692c to Cease and Desist collection/foreclosure actions and validate the alleged mortgage debt.

This is not a refusal to pay, but a notice that your claim is disputed. Please be advised that I am not requesting a "verification" that you have my mailing address, I am requesting a "validation:" that is, competent evidence that I have some contractual obligation to pay you.

I have, in essence, been asking you to validate this alleged debt by asking some very specific questions to further insure a Validation of Debt, but Wells Fargo Home Mortgage has refused to cooperate. You have given me every reason to believe that Wells Fargo Home Mortgage has every intention on deceiving me and others into believing you have a legal right to collect a debt and/or to foreclose on real property when you have repeatedly failed to show any evidence of a connection to any note or debt.

Based on what YOU have sent me, I see no connection that would give you the right to expect payment on any alleged debt or to threaten to foreclose on any real property that I may own and/or hold.

My original note was executed with Hyperion Capital Group, LLC. Your correspondence to me in response to my original RESPA request lacks several legal requirements;

1. The loan number on the copy of the note and the Deed of Trust that YOU have provided is different from the loan number in your cover letter to me.
2. The note that YOU have provided has a blank endorsement which means that Wells Fargo initiated an action that it could not legally take since Wells Fargo, at the time Wells Fargo initiated foreclosure actions, did not have any legal claims to my property.
3. Your cover letter suggests that Wells Fargo is the investor and servicer. I have no way of knowing if that means Wells Fargo N.A., Wells Fargo Home

- Mortgage, Wells Fargo Loan Servicing or any other entity that Wells Fargo has it's name attached to. Not once have you indicated that my note has a new owner or custodian.
4. You have not sent me any copies of any assignments nor are there any legal assignments recorded in public records of Cowlitz County.
  5. The loan documents that YOU have provided me has no mention of Wells Fargo ANYWHERE in the documents.

Any reasonable person reviewing all the documents that YOU have provided would have to conclude that Wells Fargo has no real legal standing on ANY of their claims.

I demand to see any notices from the original lender as required by law. The law requires the Lender to send me notice that they have sold or assigned the servicing rights otherwise I have no way of knowing that Wells Fargo Home Mortgage has the right to collect or enforce payment on behalf of the owner of the note.

I see no tangible obligation to pay Wells Fargo Home Mortgage and have never officially been informed by the note owner, whoever that may be, or the original lender that you have the right to collect on their behalf. If Wells Fargo Home Mortgage fails to produce the proof of the required notices then I will have no choice but to pursue any and all legal remedies available to me.

I hope you understand that I am not refusing to pay any obligations that I might have with the Note owner, but with all of the mortgage and foreclosure fraud lately I need legal validation that the contractual obligations were met by both sides.

With the receipt of this notice and demand, I am asking that you execute and deliver a retraction of any Notice of Default, and that you freeze any foreclosure or any credit information reported to corresponding credit agencies until this matter is resolved.

Please serve all communications and process directly to the mailing address provided below.

Tim Dietz  
2503 34<sup>th</sup> Ave  
Longview Wa 98632

Thanks in advance for your prompt cooperation.

Sincerely,

  
Tim Dietz